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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,682	01/18/2002	Robert Vincent Cox	016295.0745 (DC-03247)	1169

7590 02/23/2005
Baker Botts L.L.P.
One Shell Plaza
910 Louisiana
Houston, TX 77002-4995

EXAMINER

LE, HIEU C

ART UNIT PAPER NUMBER

2142

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/051,682

Applicant(s)

COX ET AL.

Examiner

Hieu c. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,8,9,13-15,19 and 21 is/are rejected.
- 7) ☒ Claim(s) 3-5,7,10-12,16-18,20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2,6,8-9,13-15, 19,21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brisse, Mathew " *SAN Configuration Tool for Dell SANS* " Website for Dell Computer, Issue 4. 2000, in view of Tonelli et al. [US. Pat. No. 6,229,540].

As to claim 1, Brisse discloses a method of validating a network, the method comprising:

receiving user input requesting a validation process [user GUI offer a drag and drop topology design that allows user to add components to SAN with real time rule validation (requesting validation process) (page 3, lines 10-24)];

in response to the user input, automatically discovering attributes of devices in the network [after a component is added; a dialog box appears asks questions about the specific device such as backup software used by the server, type of host bus adapter (attributes) (page 3, lines 25-3) (i.e, automatically discovering the device attribute].

generating output data that indicates whether the discovered attributes match the valid device attributes [the configuration tool will automatically validate the entire SAN, report any discrepancies and offer suggestions for correction and outputs a

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comprehensive report (p. 5, lines 3-12) i.e. the report (output) indicates whether discovered attributes match the valid device attributes match the valid device attributes].

Brisse does not disclose automatically comparing the discovered attributes with a predefined set of valid device attributes;

Tonelli discloses a network audit software allows comparisons between configurations of discovered and designed characteristics of network devices by matching the disclosed characteristics (distributes) of devices with predefined attributes of valid devices (col. 4, lines 28-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Tonelli's teachings to modify the method of Brisse by automatically with a predefined set of valid device attributes in order to provide a flexible and customizable system/storage architectures that overcome the complex to design and configure standards based on components.

As to claim 2, both Brisse (p. 5, lines 3-8) and Tonelli (col. 4, lines 28-64) further discloses wherein the operation generating output data comprises:

generating output data that identifies an invalid attribute among the discovered attributes and a corresponding valid attribute from the predefined set of valid device attributes.

As to claim 6, Brisse further disclose further comprising:

automatically determining the valid device attributes by reference to a file that uses a markup language encode the valid device attributes [the reporting function that automatically determines the valid device attributes is saved with file extension (p. 6,

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lines 1-3 as a web based service (p. 6, lines 7-12), Web based service conventionally uses HTML (HTML).

As to claim 8, refer to claim 1 rejection. Brisse further disclose a computer-readable medium (disk) that storages software (p. 6, lines 1-6).

As to claim 9, refer to claim 2 rejection.

As to claim 13, refer to claim 6 rejection.

As to claim 14, refer to claim 7 rejection. Brisse further disclose a computer-readable medium (p. 6, lines 1-3), and Tonelli further discloses a network interface in communication with a network of devices [a network audit software (interface) in communication with network devices (col. 18, lines 34-36)] and

in response to the user input, automatically communicating with the devices via the network interface to discover attributes of the devices [the user loads audit software including query engine (col. 18; lines 48-55). The query engine communicate with devices on the network (col. 19, lines 1-10)].

As to claim 15, refer to claim 2 rejection.

As to claim 19, refer to claim 6 rejection.

As to claim 21, refer to claim 6 rejection for their common feature. Tonelli further discloses one or more processors (Fig. 1); and software (col. 4, lines 28-33) to perform the operations of claim 1.

Allowable Subject Matter

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3. Claims 3-5,7,10-12,16-18,20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (571) 272-3897.

The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey, can be reached on (571) 272-3896. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Hieu Le


JACK HARVEY
SUPERVISOR